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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 004792

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STATE FOR NEA/ARPI, LONDON FOR TSOU, PARIS FOR ZEYA

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SUBJECT: PUBLIC PROSECUTION QUESTIONS RULING FAMILY MEMBER  
ABOUT HIS PUBLIC CRITICISM OF GOK

REF: KUWAIT 4372

Classified By: Ambassador Richard LeBaron for reasons 1.4 (b) and (d)

**¶11.** (C) Summary: The Public Prosecution Office questioned Shaykh Mishal Al-Jarrah Al-Sabah, former Assistant Undersecretary for State Security Affairs, on November 8 about his public criticism of the GOK during a September interview conducted by Mohammed Al-Jassem on his program "Al-Majlis," which airs on Al-Hurra. During the five and one-half hour closed-door session, Shaykh Mishal responded to ten charges brought against him by First Deputy Prime Minister and Interior Minister Shaykh Nawaf Al-Ahmed Al-Jaber Al-Sabah. Shaykh Mishal denied all of the charges except one: his claim that the Government paid seven million KD (\$23.9 million) in bribes to ensure the May 16 National Assembly approval of women's suffrage legislation. The English-daily Arab Times quoted Shaykh Mishal as saying, "I will reveal, in court, some surprising information on the seven million dinars paid by the government to seven MPs for approval of the women's political rights law." Commenting on the situation, liberal writer Ahmed Deyain said the Government's decision to bring charges against Shaykh Mishal was intended to send a message to other GOK critics. He also suggested the decision was linked to the discontent of some Al-Sabah with the current distribution of power within the ruling family. End summary.

Ten Charges Brought Against Former Security Official

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**¶12.** (SBU) In an unusual move, former Assistant Undersecretary for State Security Affairs Shaykh Mishal Al-Jarrah Al-Sabah was brought before the Public Prosecution Office on November 8 for questioning over comments he made in a September interview with Mohammed Al-Jassem on the television program "Al-Majlis," which airs weekly on the U.S.-funded satellite station Al-Hurra. The English-daily Arab Times reported November 9 that the following ten charges were leveled against Shaykh Mishal by First Deputy Prime Minister and Interior Minister Shaykh Nawaf Al-Ahmed Al-Jaber Al-Sabah. One observer noted that this is the first time a ruling family member has referred another Al-Sabah to the Public Prosecution for questioning.

Begin text of Charges:

- 1) Shaykh Mishal revealed some information which he had gained in his official capacity as Assistant Undersecretary for State Security Affairs. This could harm the interests of Kuwait.
- 2) He divulged information which could undermine Kuwait's relations with friendly countries.
- 3) He spread false information that there is an old base for

the al-Qaeda organization in Kuwait. This could damage Kuwait's relations with the United States.

4) He claimed that the State Security had unearthed a Shiite Bahraini network in Kuwait, which could lead to a sectarian dispute in the country and also spoil Kuwait's relations with the Kingdom of Bahrain.

5) He alleged that Saudi terrorist Juhayman Al-Otaibi started his movement from Kuwait, which could hurt Kuwait's ties with the Kingdom of Saudi Arabia. (Note: The Otaibi tribe is one of the most prominent tribes in Kuwait. End note.)

6) He claimed Iran has prepared some terrorist groups to work in the Gulf region if a war is launched against that country. This could harm bilateral relations between Kuwait and Iran.

7) He asserted that terrorist groups are able to infiltrate Iraq from its neighbors, which could spoil Kuwait's relations with these countries, especially Syria and Iran.

8) He accused two MPs of belonging to al-Qaeda.

9) He accused the Government of dismissing some well-qualified and professional officials from sensitive positions.

10) He claimed that the Government paid seven million dinars to some MPs as a bribe to vote in favor of the women's political rights law, a charge that could sully Kuwait's image.

End text.

#### Shaykh Mishal Promises to Reveal "Surprising Information"

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¶13. (SBU) Denying all but the tenth charge brought against him, Shaykh Mishal told the Public Prosecution, "I will reveal, in court, some surprising information on the seven million dinars (\$23.9 million) paid by the government to

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seven MPs for the approval of women's political rights law," the English-daily Arab Times quoted him as saying. (Note: Rumors that the Government bribed MPs to vote for women's suffrage legislation are widespread. End note.)

#### Government Trying to Send Message to Critics

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¶14. (C) Ahmed Deyain, a liberal writer with close ties to Shaykh Nasser Al-Ahmed Al-Jaber Al-Sabah, the Prime Minister's son, told Poloff in an November 9 meeting that the only rationale the Government could have for bringing charges against Shaykh Mishal was to send a message to other critics.

Commenting that the Government's decision to refer Shaykh Mishal to the Public Prosecution was either a "stupid move" or a "decision to break heads," Deyain argued that the Government risks "heroizing" Shaykh Mishal if he is acquitted, or appearing to silence a public critic of government corruption if he is jailed. (Comment: Jail is an unlikely prospect in our view. End comment.)

#### A Succession Squabble Behind the Charges?

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¶15. (C) Deyain suggested Shaykh Mishal's referral to the Public Prosecution was linked to the struggle within the ruling family over succession, which erupted publicly at the beginning of Ramadan when Shaykh Salem Al-Ali Al-Salem Al-Sabah called for the formation of a three-member committee to run the country (reftel). Shaykh Mishal has close ties to former Minister of Interior Shaykh Mohammed Al-Khalid Al-Hamad Al-Sabah, who is married to Shaykh Salem Al-Ali's daughter Alia. According to Deyain, both Shaykh Mishal and Shaykh Mohammed Al-Khalid have long been at odds with Prime Minister Shaykh Sabah Al-Ahmed Al-Jaber Al-Sabah and are dissatisfied with the current distribution of power within the ruling family, which they believe disproportionately favors the Ahmed line of the Jaber branch. Shaykh Mishal's comments on "Al-Majlis" were likely meant to put pressure on Shaykh Sabah and predicated Shaykh Salem Al-Ali's statement,

Deyain commented.

Bio Note

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¶5. (U) Shaykh Mishal Al-Jarrah Al-Sabah, born September 1, 1956, served as Assistant Undersecretary for State Security Affairs at the Ministry of Interior until his replacement by Major General Abdullah Al-Fares in November 2002. Shaykh Mishal previously served as Director General of the State Security Department at the Ministry of Interior. He graduated from the Kuwait Military College in 1976. He is married with five children: Fawwaz, Sabah, Abdullah, Hissa, and Duaij.

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